

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CONNOR O'KEEFE, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

SEQUOIA CAPITAL OPERATIONS, LLC,
et al.,

Defendants.

Case No. 1:23-cv-20700-JEM

PLAINTIFF'S NOTICE OF DISMISSAL OF DEFENDANT SILVERGATE BANK

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Connor O'Keefe hereby notifies the Court, the Clerk, and all interested parties that all causes of action in the Complaint (ECF No. 1) asserted against Silvergate Bank are hereby voluntarily dismissed, without prejudice.

Silvergate Bank has neither answered the Complaint nor moved for summary judgment. As such, dismissal is appropriate under Rule 41(a). *See* Fed. R. Civ. P. 41(a)(1)(A)(i); *Cordis Corp. v. Siemens-Pacesetter, Inc.*, 682 F. Supp. 1200, 1201 (S.D. Fla. 1987).

Dated: June 13, 2023

Respectfully submitted:

FISHMAN HAYGOOD L.L.P.

201 St. Charles Avenue, 46th Floor
New Orleans, Louisiana 70170
T: (504) 586-5252
F: (504) 586-5250

By: /s/ Kerry J. Miller

Kerry J. Miller*

Monica Bergeron*

C. Hogan Paschal*

Benjamin D. Reichard*

James R. Swanson*

Rebekka C. Veith*

Molly L. Wells*

STUMPHAUZER KOLAYA

NADLER & SLOMAN, PLLC

2 South Biscayne Boulevard, Suite 1600
Miami, Florida 33131

T: (305) 614-1400

F: (305) 614-1425

By: /s/ Timothy A. Kolaya

Timothy A. Kolaya (FBN: 056140)

Amy M. Bowers (FBN: 105755)

Email: tkolaya@sknlaw.com

abowers@sknlaw.com

Email: kmiller@fishmanhaygood.com
mbergeron@fishmanhaygood.com
hpaschal@fishmanhaygood.com
breichard@fishmanhaygood.com
jswanson@fishmanhaygood.com
rveith@fishmanhaygood.com
mwells@fishmanhaygood.com

**Appearing pro hac vice (see ECF No. 77)*

Counsel for Plaintiff and the Putative Class

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 13, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, and that the foregoing document is being served this day on counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

By: /s/ Timothy A. Kolaya
Timothy A. Kolaya